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REMARKS/ARGUMENTS

This Amendment is submitted in response to the Office Action mailed April 6, 2007. The deadline for responding has been extended to October 9, 2007 by a request for an extension of time made herewith.

I. Introduction

New claims 46-53 have been added. Claim 29 has been canceled. Accordingly, claims 1-28 and 30-53 are now pending.

In the Office Action the Examiner objected to claims 40-45 because of a claim dependency error and rejected claims 1-38, 44 and 45 under 35 U.S.C. §112, second paragraph as being indefinite.

In the Office Action the Examiner indicated that claims 4, 6, 13, 29-34, and 42-45 were directed to allowable subject matter and that these claims would be allowable if amended to overcome the objections and/or indefiniteness rejections and to include the limitations of any base claim and intervening claims from which these claims depended. The claims in the original set of claims 1-45 which were not indicated as being directed to allowable subject matter were rejected based on one or a combination of references for the reasons set forth in the office action.

Applicant thanks the Examiner for the indication of allowable subject matter.

As will be discussed below, all of the claims are definite and none of the pending claims are anticipated or rendered obvious by the applied references.

III. The Claim Objections and §112, Second Paragraph Rejections

Applicant has amended claim 40 so that it now depends from claim 38. As a result, the objection to claims 40-45 has been overcome.

With respect to the §112, second paragraph rejections, Applicant has amended the claims to address and overcome the issues raised by the Examiner. As amended the claims no longer recite the terms "important" or "ameliorate". As amended, it is respectfully submitted that the pending claims are definite. In view of the above amendments, it is respectfully submitted that the indefiniteness rejections have been addressed and overcome.

Claims 1-3, 5, 7, 18, 22, 23, 25-28, 36, 37 and 39 are rejected under 35 U.S.C. 102 (e) as being anticipated by Jain (US 2002/0116669).

III. The Pending Claims Are In Condition For Allowance

1. Claim 1-3, 5, 18-21

Claim 1 has been amended to recite:

A method of operating an end node in a communications system including at least one network node and said end node, the method comprising:

generating, from Mobile IP signals directed to said end node or transmitted by said end node, a list of network nodes identifying network nodes used in routing signals to or from said end node, said Mobile IP signals including at least one of a Mobile IP agent solicitation message, a Mobile IP agent advertisement message, a Mobile IP registration message and a Mobile IP registration reply message;

receiving a fault signal indicating a network node fault;
determining, using said generated list, if the network node fault corresponds to a network node that is used in routing signals to or from said end node; and

if it is determined that the network node fault corresponds to a network node that is important to routing of signals to or from said end node, operating the end node to initiate a fault response operation.

The applied references, whether considered alone or in combination do not disclose or suggest the features indicated in bold above in combination with the other features recited in claim 1. Accordingly, claim 1 and claims 2-3, 5 and 18-20 which depend therefrom are patentable.

2. Claim 4 and 9-12

Claim 4 was indicated to be directed to allowable subject matter. Claim 4 has been amended to be in independent form. Accordingly, it is respectfully submitted that claim 4 and claims 9-12 which depend therefrom are now in condition for allowance.

3. Claims 6-8, 15-17 and 22-24

Claim 6 was indicated as being directed to allowable subject matter. Claim 6 has been amended to be in independent form. Accordingly, claim 6 and claims 7-8, 15-

17 and 22-24 which depend therefrom are now in condition for allowance.

4. Claims 13 and 14

Claims 13 and 14 were indicated to be directed to allowable subject matter. Each of these claims has been rewritten in independent form and is therefore now in condition for allowance.

5. Claims 25-28, 30, 33, and 35-38

Claim 29 was indicated to be directed to allowable subject matter. Claim 25 has been amended to include the features of allowable claim 29. Claim 29 has been canceled. Accordingly, claim 25 and claims 26-28, 30, 33 and 35-38 which depend therefrom are now allowable for the same reason claim 29 was found to be directed to allowable subject matter.

6. Claims 31 and 34

Claims 31 and 34 were indicated to be directed to allowable subject matter. These claims have been amended to be in independent form. Accordingly, claims 31 and 34 are now in condition for allowance.

7. Claims 39 and 40-41

Claim 39 has been amended to recite:

A mobile communications device, comprising:
memory including a set of stored information indicating network nodes which are used in routing of signals either to said communications device or from said communications device to other network nodes;

receiver circuitry for receiving messages from network nodes including service interference notification messages indicating service interference at a network node;

means for generating, from Mobile IP signals directed to said mobile communications device or transmitted by said mobile communications device, a list of network nodes identifying network nodes used in routing signals to or from said mobile communications device, said Mobile IP signals including at least one of a Mobile IP agent solicitation message, a Mobile IP agent advertisement message, a Mobile IP registration message and a Mobile IP registration reply message; and

means for processing received service interference notification messages to determine, using said generated list, if service interference indicated by a received network service interference notification message indicates service interference at a network node used in routing of signals either to said mobile communications device or from said mobile communications device to another network node.

The applied references, whether considered alone or in combination do not disclose or suggest the features indicated in bold above in combination with the other features recited in claim 39. Accordingly, claim 39 and claims 40 and 41 which depend therefrom are patentable.

8. Claims 42-45

Claim 42 was indicated to be directed to allowable subject matter. Claim 42 has been amended to be in independent form. As amended claim 42 is in condition for allowance as are claims 43-45 which depend therefrom.

9. New Claims 46-53

Claims 46-49 are patentable for the same reasons claim 1 is patentable.

Claims 50-51 are patentable for the same reasons claim 4 is patentable

Claims 52-53 are patentable for the same reasons claim 39 is patentable.

IV. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are in condition for allowance. Accordingly, it is requested that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance the Examiner is requested to call (732-542-9070) and schedule an interview with Applicant's undersigned representative. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee in regard to the extension or this amendment is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

None of the statements or discussion made herein are intended to be an admission that any of the applied references are prior art to the present application and Applicants preserve the right to establish that one or more of the applied references are not prior art.

Respectfully submitted,

October 9, 2007


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

Michael P. Straub

Type or print name of person signing certification

Michael P. Straub
Signature

October 9, 2007

Date